

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

* * * * *

In the Matter of:

CLEO STAMPER)	
VS.)	CASE NO. 8882
BLUE GRASS DISPOSAL CORPORATION)	

O R D E R

On May 4, 1983, a letter was received by this Commission from Cleo Stamper, Whitesburg, Kentucky, concerning problems she was experiencing in terminating sewer service from Blue Grass Disposal Corporation ("Blue Grass") to a residence located at 3553 Rocky Hill Terrace, Lexington, Kentucky. On May 10, 1983, a copy of Ms. Stamper's complaint letter was forwarded to Mr. Edward H. Peter, Jr., president of Blue Grass.

Blue Grass responded to Ms. Stamper's complaint in its letter of July 1, 1983, stating "Blue Grass' tariffs are not based on water consumption but rather a flat monthly rate of \$7.25 for each single-family residential unit connected to the system. Therefore, Blue Grass does not intend to refund any monies paid by Mr. Stamper."

A hearing was held on August 31, 1983, in the offices of the Commission in Frankfort, Kentucky, and all parties of interest were given an opportunity to be heard.

COMMENTARY

The Commission, by letter dated August 17, 1983, advised Ms. Stamper that a hearing had been scheduled on her complaint against Blue Grass. Ms. Stamper, however, did not respond to the letter nor did she appear at the hearing of August 31, 1983.

Mr. Peter testified that Blue Grass' records showed that Ms. Stamper had paid the monthly sewer charge of \$7.25 for the residence at 3533 Rocky Hill Terrace through April of 1983. He further stated that Ms. Stamper was credited by Blue Grass with an overpaid balance of \$5.79. Blue Grass stated that it had no notice that Ms. Stamper had requested termination of her sewer service prior to her April 6, 1983, complaint letter. Blue Grass submitted as evidence a letter from Kentucky-American Water Company dated March 25, 1983, stating that the water service to 3553 Rocky Hill Terrace had been discontinued as of May 1, 1981.

SUMMARY

The Public Service Commission, after consideration of the application and evidence of record and being advised, is of the opinion and finds that:

1. Blue Grass is obligated to terminate sewage disposal service on the basis of a customer giving the utility 3 days' notice in person or in writing under 807 KAR 5:006, Section 10.

2. Blue Grass provided sworn testimony that written notice to terminate sewage disposal service to 3533 Rocky Hill Terrace was first received by letter dated April 6, 1983.

3. Ms. Stamper failed to appear at the August 31, 1983, hearing and give sworn testimony of her complaint.


4. Ms. Stamper has overpaid Blue Grass in the amount of \$5.79.


IT IS THEREFORE ORDERED that Blue Grass shall, within 30 days of the date of this Order, reimburse Ms. Stamper the sum of \$5.79.


IT IS FURTHER ORDERED that Blue Grass shall file with the Commission certification that payment has been made to Ms. Stamper.

Done at Frankfort, Kentucky, this 2nd day of November, 1983.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary